

District Judge Barbara J. Rothstein

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

TSIGAB A. GEBRAY, *et al.*,

Plaintiffs,

v.

ALEJANDRO MAYORKAS, *et al.*,

Defendants.

No. 2:23-cv-870-BJR

STIPULATED MOTION AND  
PROPOSED BRIEFING SCHEDULE

The parties hereby provide the Court with a proposed briefing schedule for Defendants' motion to dismiss pursuant to Federal Rules of Civil Procedures 12(b)(1) and 12(b)(6). Plaintiffs bring this case pursuant to the Administrative Procedure Act and Mandamus Act seeking an order compelling the Government to complete processing of their Form I-730s, Refugee/Asylee Relative Petitions, that they claim have been unreasonably delayed. Since this litigation commenced, U.S. Citizenship and Immigration Services ("USCIS") approved Plaintiffs' Form I-730s. Because the beneficiaries reside in Ethiopia, the State Department will determine their travel eligibility once the case is transferred to the U.S. Embassy in Addis Ababa. Defendants' position is that the Department of State should not be held responsible for a processing delay by USCIS; Plaintiffs'

position is that the Form I-730 adjudication and travel eligibility that should be measured as one continuous process. The parties do not dispute the overall timing of the process thus far.

Accordingly, the parties propose the following briefing schedule for Defendants' motion to dismiss:

<u>Filing</u>	<u>Deadline</u>
Defendants' motion to dismiss	September 22, 2023
Plaintiffs' response to the motion	October 23, 2023
Defendants' reply in support of the motion	October 27, 2023

Dated: September 11, 2023

Respectfully submitted,

TESSA M. GORMAN  
Acting United States Attorney

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*Attorneys for Defendants*

*I certify that this memorandum contains 193 words,  
in compliance with the Local Civil Rules.*

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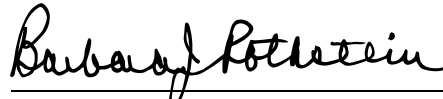
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**ORDER**

The parties having stipulated and agreed, it is hereby so ORDERED. The parties shall submit briefing pursuant to the following schedule:

<b><u>Filing</u></b>	<b><u>Deadline</u></b>
Defendants' motion to dismiss	September 22, 2023
Plaintiffs' response to the motion	October 23, 2023
Defendants' reply in support of the motion	October 27, 2023

DATED this 12th day of September, 2023.



Barbara Jacobs Rothstein  
U.S. District Court Judge